

### REMARKS

Claims 1-20 are pending. Claims 1 and 13-20 have been amended for clarification purposes. It is respectfully submitted that no new matter has been added.

During the period of about September 16-18, 2007, Applicant's representative Walter Malinowski attempted to place the claims in condition for allowance and contacted Examiner Shambhavi Patel by email to enter an Examiner's Amendment. Examiner Patel contacted Applicant's representative by telephone on or slightly after September 18 2007 to inform him that a response should be submitted by Applicant to the Patent Office.

The Patent Office rejected claims 1-12 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the Patent Office asserted that the subject matter "the selection of the macromodel being determined by one of comparing a total distortion to an error threshold and comparing a length of the transmission line to a critical length calculated from the parameters" is indefinite. This is not so since the structure "one of ... and ..." clearly indicates the alternatives to be between comparing a total distortion and comparing a length of the transmission line;" however, to advance prosecution, Applicant has amended claim 1 to recite "the selection of the macromodel being determined by one of 1) comparing a total distortion to an error threshold and 2) comparing a length of the transmission line to a critical length calculated from the parameters." It is respectfully requested that the Patent Office withdraw its rejection of claims 1-12 under 35 U.S.C. 112, second paragraph.

The Patent Office rejected claims 13-20 under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claims 13-20 have been amended to recite a "computer readable medium" instead of a "signal bearing medium." It is believed that the form of currently pending claims 13-20 is in accordance with current U.S. patent practice. It is respectfully requested that the Patent Office withdraw its rejection of claims 13-20 under 35 U.S.C. 101.

The Patent Office is respectfully requested to reconsider and remove the rejections of claims 1-12 under 35 U.S.C. 112, second paragraph, and of claims 13-20 under 35 U.S.C. 101 and to allow all of the pending claims 1-20 as now presented for examination. An early

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notification of the allowability of claims 1-20 is earnestly solicited.

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Respectfully submitted:

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### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

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